

JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. SA CV 16-0542-DOC (AGR_x)

Date: April 14, 2016

Title: DAVID BARNETT V. PROCOM HEATING, INC., ET AL.

PRESENT:

THE HONORABLE DAVID O. CARTER, JUDGE

Deborah Goltz
Courtroom Clerk

Not Present
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFF:
None Present

ATTORNEYS PRESENT FOR DEFENDANT:
None Present

**PROCEEDINGS (IN CHAMBERS): ORDER GRANTING MOTION TO
REMAND [13]**

On March 22, 2016, the above-captioned case was removed to this Court. Notice of Removal (Dkt. 1). On April 12, 2016, Plaintiff David Barnett (“Barnett” or “Plaintiff”) filed a Motion to Remand Case to Orange County Superior Court (“Motion”) (Dkt. 13). Plaintiff argued Defendant ProCom Heating, Inc. (“ProCom” or “Defendant”) is a forum Defendant because it maintains its principal place of business in California, and therefore the action was improperly removed. Defendant filed a Notice of Non-Opposition on April 14, 2016, which acknowledged Plaintiff’s “Motion is meritorious.” Notice of Non-Opposition (Dkt. 16) at 2.

Based on the relevant case law, the Court agrees the case was improperly removed. Accordingly, the Court REMANDS this action to the Superior Court of California, County of Orange, case number 30-2016-00833968.

The Clerk shall serve this minute order on the parties.

MINUTES FORM 11
CIVIL-GEN

Initials of Deputy Clerk: djg